

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 17, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORGE BALLESTEROS,

Defendant.

Nos. 4:20-CR-06004-SAB-1

4:22-CR-06021-SAB-1

**ORDER CONTINUING
SUPERVISED RELEASE
REVOCATION HEARING,
PRETRIAL CONFERENCE,
AND TRIAL DATE;
EXTENDING DEADLINES**

Before the Court are Defendant's Motion to Continue Supervised Release Violation, ECF No. 152, in Case No. 4:20-CR-06004-SAB-1; and Defendant's Motion to Continue Pre-trial Conference and Jury Trial, ECF No. 36, in Case No. 4:22-CR-06021-SAB-1. The motions were considered without oral argument. Defendant is represented by Ricardo Hernandez and the Government is represented by Caitlin Baunsgard.

Counsel for Defendant requests that the Court continue the above-captioned matters to give him more time to review recently received discovery. Counsel for Defendant indicates that neither Defendant nor the Government oppose the request for a continuance. The Court finds good cause to grant the motions.

**ORDER CONTINUING SUPERVISED RELEASE REVOCATION
HEARING, PRETRIAL CONFERENCE, AND TRIAL DATE;
EXTENDING DEADLINES # 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Defendant's Motion to Continue Supervised Release Violation, ECF
3 No. 152, Case No. 4:20-CR-06004-SAB-1, is **GRANTED**.

4 2. Defendant's Motion to Continue Pre-trial Conference and Jury Trial,
5 ECF No. 36, Case No. 4:22-CR-06021-SAB-1, is **GRANTED**.

6 3. The current trial date in Case No. 4:22-CR-06021-SAB-1 of July 11,
7 2022 is **STRICKEN** and **RESET** to **October 31, 2022**, at **9:00 a.m.**, commencing
8 with a **final** pretrial conference at **8:30 a.m.** The trial shall take place in **Richland**,
9 Washington.

10 4. The pretrial conference in Case No. 4:22-CR-06021-SAB-1 and the
11 supervised release revocation hearing in Case No. 4:20-CR-06004-SAB-1 set on
12 June 23, 2022 are **STRICKEN** and **RESET** to **October 19, 2022**, at **10:30 a.m.** in
13 **Yakima**, Washington. Counsel shall advise the Court regarding any dispositive
14 change in the status of this case **at least 5 days prior to the pretrial conference**.
15 Any motion to continue the pretrial conference or trial shall be filed at the earliest
16 practicable opportunity, but no later than **seven (7) days prior to said proceeding**.
17 Movant shall provide (1) specific and detailed reasons for the continuance to
18 permit the Court to make the necessary findings; (2) if applicable, the Defendant's
19 signed Speedy Trial Waiver; (3) the position of opposing counsel; and (4) the
20 proposed new date. Continuances are not granted absent good cause.

21 5. All pretrial motions, including motions *in limine* and *Daubert*
22 motions, shall be filed on or before **September 28, 2022**.

23 6. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between July 11,
24 2022, the current trial date, until October 31, 2022, the new trial date, is
25 **DECLARED EXCLUDABLE** for purposes of computing time under the Speedy
26 Trial Act. The Court finds that the ends of justice served by such a continuance
27 outweigh the public's and Defendant's interest in a speedy trial.

28 **ORDER CONTINUING SUPERVISED RELEASE REVOCATION
HEARING, PRETRIAL CONFERENCE, AND TRIAL DATE;
EXTENDING DEADLINES # 2**

1 7. Defendant **shall** submit a signed Speedy Trial waiver in Case No.
2 4:22-CR-06021-SAB-1 within **fourteen (14)** days of this Order.

3 8. Trial briefs, proposed voir dire, jury instructions, verdict forms,
4 exhibit lists, expert witness lists, and summaries of expert testimony shall be filed
5 and served by all parties on or before seven (7) calendar days prior to trial. This
6 does not modify the parties' discovery obligations under Fed. R. Crim. P. 16.
7 Absent an agreement between the parties or an Order from the Court, the parties'
8 Fed. R. Crim. P. 16 discovery deadlines shall be governed by Local Criminal Rule
9 16.

10 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order
11 and provide copies to counsel.

12 **DATED** this 17th day of June 2022.



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18 Stanley A. Bastian
19 Chief United States District Judge
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28 **ORDER CONTINUING SUPERVISED RELEASE REVOCATION
HEARING, PRETRIAL CONFERENCE, AND TRIAL DATE;
EXTENDING DEADLINES # 3**